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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/091,070	03/04/2002	Anders Vinberg	28280.04002	8004

7590 06/21/2005
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EXAMINER

WINDER, PATRICE L

ART UNIT PAPER NUMBER

2145

DATE MAILED: 06/21/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/091,070

Applicant(s)

VINBERG, ANDERS

Examiner

Patrice Winder

Art Unit

2145

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 02 March 2002.
2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-18 is/are pending in the application.
4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5) ☐ Claim(s) _____ is/are allowed.
6) ☒ Claim(s) 1-18 is/are rejected.
7) ☐ Claim(s) _____ is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Specification

1. The disclosure is objected to because of the following informalities: the application numbers/patent numbers of the applications referenced on page 2, lines 1-7 are missing.

Appropriate correction is required.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1-6, 9-14, 17-18 are rejected under 35 U.S.C. 102(e) as being anticipated by Brown, USPN 5,857,190 (hereafter referred to as Brown).

4. Regarding claim 1, Brown taught a method for reporting an alert condition (abstract), comprising:

defining alert filter criteria (column 12, lines 12-14, 27-35);

identifying an alert condition (column 5, lines 43-50);

analyzing one or more properties of the alert condition based on the alert filter criteria (column 5, lines 51-64);

determining whether to report the alert condition (column 5, lines 53-64); and selectively reporting the alert condition (column 6, lines 40-43).

5. Regarding dependent claim 2, Brown taught the one or more properties include importance, severity and urgency (column 6, lines 29-32).

6. Regarding dependent claim 3, Brown taught identifying an alert condition includes identifying a potential alert condition (column 6, lines 13-24).

7. Regarding dependent claim 4, Brown taught the one or more properties include a property representing a level of risk associated with a potential alert condition (column 6, lines 25-32).

8. Regarding dependent claim 5, Brown taught the method further comprising analyzing a property representing an interest group associated with the alert condition (column 5, line 65- column 6, line 3).

9. Regarding dependent claim 6, Brown taught the method further comprising analyzing a property representing a business process associated with the alert condition (column 6, lines 9-12).

Claim Rejections - 35 USC § 103

10. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

11. Claims 7-8, 15-16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Xia, USPN 6,154,849 (hereafter referred to as Xia).

12. Regarding dependent claims 7-8, Brown taught identifying an alert condition includes: identifying a first object representing a first system component associated with the alert condition (column 10, lines 4-13). Brown does not specifically teach a second system component having a dependency relationship to the first system component. However, Xia taught identifying a first object representing a first system component associated with the alert condition (column 4, lines 13-19, 29-33); identifying a second object representing a second system component having a dependency [containment] relationship to the first system component (column 4, lines 29-33); and propagating a property of the second object to the first object (column 9, lines 46-54). It would have been obvious to one of ordinary skill in the art at the time the invention was made that incorporating Xia's dependency relationships in Brown's system for filtering events would have allowed greater flexibility in diagnosing and handling resource failures. The motivation would have been to provide a network policy that includes considering dependencies in event handling.

13. The language of claims 9-18 is substantially the same as previously rejected claim 1-8, above. Therefore, claims 9-18 are rejected on the same rationale as previously rejected claims 1-8, above.

Conclusion

14. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

15. Bonnell et al., USPN 5,655,081: taught resource monitoring and data reporting with event filtering in columns 13-14;

16. Arrowsmith et al., USPN 6,057,757: taught an alarm notification manager filters network alarms according to filter parameters specified by users;

17. Lewis, USPN 6,000,45: taught inter-domain alarms which provide notification that a network element in domain A is faulty and thus may affect a network element in domain B in columns 8-9;

18. Stupek, Jr. et al., USPN 6,131,118: taught a construction that has one component that listens for network events and another component that performs an operation in response to the network events;

19. Angal et al., USPN 6,298,378 B1: taught an event distribution system that listens for events occurring on the network and using an event registry forwards the event or notifications of the events to an appropriate listener in column 7;

20. Porras et al., USPN 6,704,874 B1: taught filtering network events and generating internal reports including a consolidated incident report; and

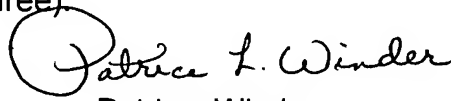
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21. Noorhosseini et al., USPN 6,707,795 B1: taught an alarm correlation method that determines whether a newly received alarm is a root-cause alarm or a symptomatic alarm and then selects an appropriate action in columns 6-7.

22. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Patrice Winder whose telephone number is 571-272-3935. The examiner can normally be reached on Monday-Friday, 10:30 am-7:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Valencia Martin-Wallace can be reached on 571-272-6159. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Patrice Winder
Primary Examiner
Art Unit 2145

June 20, 2005